

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

Matthew Weaver,

Plaintiff,

v.

GFS Transport, LLC,

Defendant.

Civil Action No. 22-av-99999

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE Defendant GFS Transport, LLC (“GFS”), by and through its undersigned counsel, hereby removes this action to the United States District Court for the District of South Carolina, Florence Division, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, based on the following grounds:

**I. BACKGROUND**

1. On November 3, 2022, Plaintiff Matthew Weaver (“Plaintiff” or “Weaver”) filed the Complaint captioned Matthew Weaver v. GFS Transport, LLC, Case No. 2022-CP-13-00817, in the South Carolina Court of Common Pleas for Chesterfield County (the “State Court Action”). A copy of the Summons and Complaint and the other filings in the State Court Action are attached as **Exhibit A**.

2. GFS was served with process on November 7, 2022. Therefore, this Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b).

**II. GROUNDS FOR REMOVAL**

3. According to the Complaint, Plaintiff is a citizen and resident of South Carolina. (Compl. ¶ 1, Ex. A). The Complaint alleges that GFS “is a Limited Liability Company organized and existing under the laws of the State of Michigan.” (Compl. ¶ 2). GFS is a limited liability

company whose sole member is a citizen of Michigan. Accordingly, there is complete diversity of citizenship between the parties under 28 U.S.C. § 1332(a)(2).

4. Although the Complaint does not demand a sum certain, Plaintiff seeks recovery for alleged personal injuries and property damage caused by a February 1, 2022 motor vehicle collision. (Compl. ¶¶ 5–6). Plaintiff alleges he “suffered injury to his back, left shoulder, and left hip and also suffered damage to personal property” that “have caused and will continue to cause the Plaintiff to spend money on medical expenses and mileage as well as repairs and replacements to damaged property” and “have also caused and will continue to cause Plaintiff to endure much pain, suffering, loss of enjoyment of life, alteration of lifestyle, lost wages, mental anguish, emotional distress, inconvenience and may cause the Plaintiff to be permanently injured.” (Compl. ¶ 6). The Complaint alleges Plaintiff is entitled to “actual, consequential and punitive damages,” “the costs of this action, and for such other and further relief as th[e] Court deems just and proper.” (Compl. ¶ 8; WHEREFORE ¶). In light of these allegations, the amount in controversy exceeds the \$75,000.00 jurisdictional threshold under 28 U.S.C. § 1332(a).

5. Because there is complete diversity of citizenship between the parties and the amount in controversy exceeds the requisite jurisdictional amount, this action is removable under 28 U.S.C. § 1441.

6. Venue is proper in the United States District Court for the District of South Carolina, Florence Division, pursuant to 28 U.S.C. § 1441(a) as it is the federal judicial district and division corresponding to the State Court Action where the subject events are alleged to have occurred.

7. GFS files herewith copies of all process and pleadings in the State Court Action pursuant to 28 U.S.C. § 1446(a).

8. GFS simultaneously files with this Notice of Removal its Responses to the Interrogatories required by Local Civil Rule 26.01 (D.S.C.).

WHEREFORE, GFS hereby removes the State Court Action to this Court.

Respectfully submitted,

**HALL BOOTH SMITH, P.C.**

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*Attorneys for Defendant*

December 7, 2022

Mount Pleasant, South Carolina